



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 23, 2021

Honorable Richard J. Sullivan
United States Circuit Judge, Sitting by Designation
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Francisco Lora, 13 Cr. 817 (RJS)

Dear Judge Sullivan:

The Government writes in response to the Court's order regarding the status of the defendant Francisco Lora's return to this district. *See* Order, Dkt. No. 62. The defendant arrived in this district in the evening of March 22, 2021. Today, the defendant received an initial appearance before Magistrate Judge Kevin Nathaniel Fox and was ordered detained. He is currently located at the Essex County Correctional Facility.

Judge Fox has set a control date of March 30, 2021. The parties have conferred and are available for a conference on April 6 (except between 10:15 and 10:45), April 13, and April 15, and can provide additional dates to the Court.

The Government also moves to exclude time under the Speedy Trial Act until the date of the next conference in this case. *See* 18 U.S.C. § 3161(h)(7). The ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial because the delay will permit the Government to produce discovery, the defense to review discovery, and the parties to discuss a resolution of the case without the need for trial, and because the delay will reflect in part the limited availability of videoconferencing and teleconferencing facilities during the COVID-19 pandemic. Defense counsel does not object to this request.

IT IS HEREBY ORDERED THAT the parties shall appear for a pretrial conference on April 6, 2021 at 2:00 pm. In light of the ongoing COVID-19 pandemic, it is further ordered that Defendant shall advise the Court by March 30 whether he wishes to appear in-person or remotely.

Pursuant to 18 U.S.C. 3161(h)(7)(A), IT IS HEREBY ORDERED THAT the time between this date and April 6, 2021 is excluded; the Court finds that the parties' need to produce and review additional discovery and engage in plea discussions outweighs the interests of the public and the defendant in a speedy trial.

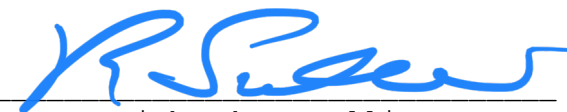
Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: 

Andrew Rohrbach
Assistant United States Attorney
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SO ORDERED:
March 23, 2021


Richard J. Sullivan
U.S.C.J., Sitting by Designation